

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Bas Ording	)	Group Art Unit: 2179
	)	
Application No.: 10/090,627	)	Examiner: M. T. Tran
	)	
Filed: March 6, 2002	)	Confirmation No.: 4921
	)	
For: ANIMATED MENU BAR	)	
	)	

**APPEAL BRIEF**

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Appeal is from the decision of the Examiner in the Office Action mailed June 24, 2009, and Appellant's Notice of Appeal filed September 24, 2009, setting a period for response that extends through November 24, 2009.

Please charge the \$540.00 fee for filing this Appeal Brief to credit card. The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

**I. Real Party in Interest**

The present application is assigned to Apple Inc. Apple Inc. is the real party in interest, and is the assignee of Application No. 10/090,627.

**II. Related Appeals and Interferences**

None.

**III. Status of Claims**

The present status of the claims is as follows:

- claims 1-23 were originally filed in this application;
- claims 24-40 were added by amendment;
- claims 2, 3, 5, 8, 15 and 26 have been canceled;
- claims 1, 4, 6-7, 9-14, 16-25, and 27-40 are currently pending; and
- claims 1, 4, 6-7, 9-14, 16-25, and 27-40 were rejected under 35 U.S.C. §103(a) as allegedly not being patentable over U.S. Patent No. 6,628,310 to Hiura et al. ("*Hiura* ") in view of U.S. Patent No. 6,957,395 to Jobs et al. ("*Jobs*").

Claims 1, 4, 6-7, 9-14, 16-25, and 27-40 are being appealed.

**IV. Status of Amendments**

None.

**V. Summary of Claimed Subject Matter Recited in Claims 1, 10, 18 & 26**

FIGs. 2a-5 illustrates exemplary embodiments that are broadly encompassed by Applicant's claims. These figures show a menu bar that undergoes an animated transition when a user's selection makes an application active, thereby aiding the user in recognizing that menu bar has changed. (Applicant's specification, p. 2, 7-29 and FIGs. 2a, 3a-3g, and 2b).

In FIG. 2a, a word processing application (“Microsoft Word”) associated with “Document2” is active. (*Id.* at FIG. 2a and p. 5, 6-22.) The word processing application is also associated with a first menu bar 32, which includes a variety of menu choices (“Format,” “Tools,” “Table”). (*Id.*)

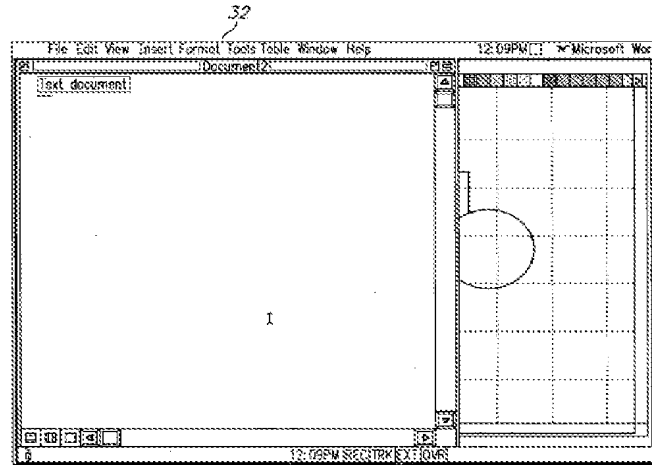


FIG. 2a

Next, as shown in FIG. 2b, when a document (“Untitled Layer 1”) associated with a drawing application (“MacDraw Pro”) is selected by an associated window, the first menu bar 32 is changed to a second menu bar 34, which includes different menu choices (“Layout,” “Arrange,” “Pen”). (*Id.*)

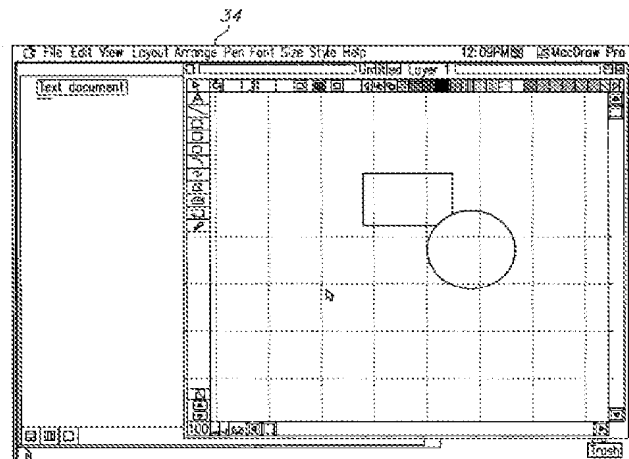
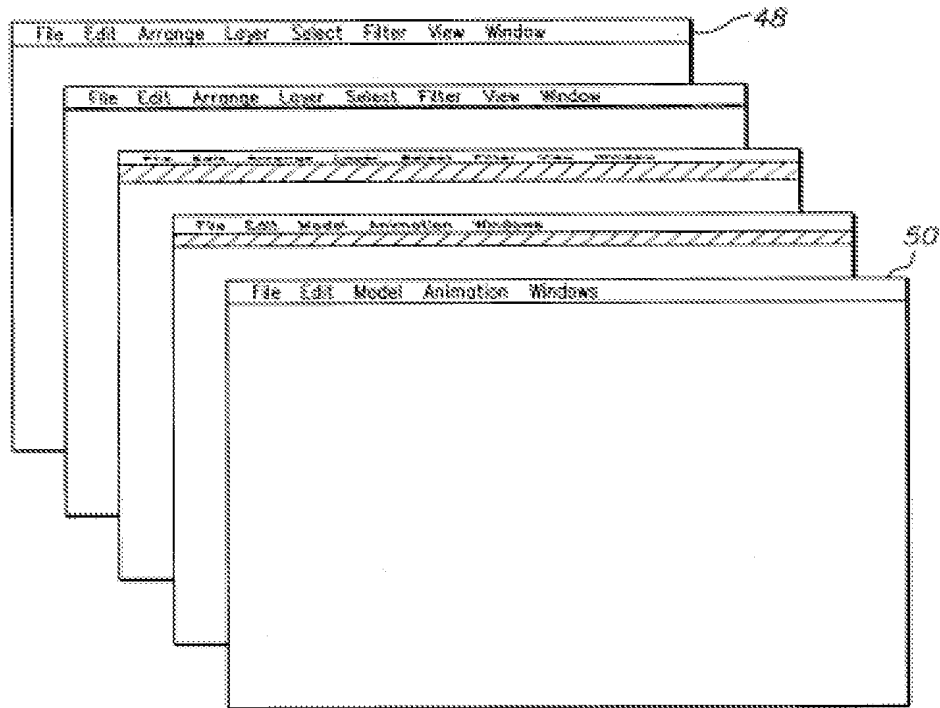


FIG. 2b

When a different application window is brought to the foreground of the display, it may be difficult for a user to recognize that menu bar 32 is replaced by menu bar 34. To enable a user to easily recognize the change, the exemplary embodiments animate the transition. (*Id.* at p. 6, ll. 12-34.)

FIG. 5 illustrates an exemplary transition between two menu bars 48 & 50. (*Id.* at p. 7, l. 24 – p. 9, l. 8.) As shown in FIG. 5, for example, menu bars 48 & 50 can appear to rotate about an axis such that menu bar 48 is replaced by menu bar 50. (*Id.*)



**FIG. 5**

The present application contains seven (7) independent claims – 1, 14, 23, 28, 31, 34 and 37. A mapping of each of the independent claims to one instance of an exemplary embodiment described in the disclosure is set forth in the following table:

<b>Claim 1</b>	<b>Specification</b>
A method for providing a transition between a first graphical user interface (GUI) element associated with a first application running on a computer and a corresponding, second GUI element associated with a second application running on the computer, the first application being displayed on a computer display in a first window and the second application in a second window, the method comprising the steps of:	FIG. 7; p. 11, l. 23 to p. 12, l. 8.
detecting, when the first application is active, user selection of the second window to make the second application active;	FIG. 7, s. 58; p. 2, ll. 22-25; p. 5, ll. 6-9, 12-16; p. 7, ll. 25-29.
removing from the computer display the first GUI element associated with the first application and replacing the first GUI element with the corresponding, second GUI element associated with the second application; and	FIG. 7, s. 64; FIGs. 3a-5; p. 2, ll. 25-29; p. 5, ll. 13-22; p. 6, ll. 3-23, p. 7, l. 24 to p. 10, l. 2.
in response to detecting the user selection of the second window, providing visual notification of the replacement of the first GUI element with the second GUI element by rendering animation graphics to animate a transition between the display of the first and second GUI elements.	FIG. 7, s. 66; FIGs. 3a-5; p. 5, ll. 13-22; p. 6, ll. 24-27, p. 7, l. 24 to p. 10, l. 2.
<b>Claim 14</b>	<b>Specification</b>
A system for providing a transition between a first graphical user interface (GUI) element associated with a first application running on a computer (2) and a corresponding, second GUI element associated with a second application running on the computer (2), the first application being displayed on a computer display (20) in a first window and the second application in a second window, the system comprising:	FIG. 1; p. 4, l. 12 to p. 5, l. 22; p. 11, l. 23 to p. 12, l. 8.

means for detecting (6), when the first application is active, user selection of the second window to make the second application active;	FIG. 7, s. 58; p. 2, ll. 22-25; p. 5, ll. 6-9, 12-16; p. 7, ll. 25-29.
means for removing (6) the first GUI element associated with the first application that is displayed on the computer display and replacing the first GUI element with the corresponding, second GUI element associated with the second application; and	FIG. 7, s. 64; FIGs. 3a-5; p. 2, ll. 25-29; p. 5, ll. 13-22; p. 6, ll. 3-23, p. 7, l. 24 to p. 10, l. 2.
means responsive to detecting the user selection of the second window for providing (6) visual notification of the replacement of the first GUI element with the second GUI element by rendering animation graphics to animate a transition between the display of the first and second GUI elements.	FIG. 7, s. 66; FIGs. 3a-5; p. 5, ll. 13-22; p. 6, ll. 24-27, p. 7, l. 24 to p. 10, l. 2.
<b>Claim 23</b>	<b>Specification</b>
A computer-readable data storage device containing a program that, when executed by a processor, controls a computer to provide a transition between a first graphical user interface (GUI) element, which is associated with a first application running on the computer, and a corresponding, second GUI element, which is associated with a second application running on the computer, the first application being displayed on a computer display in a first window and the second application being displayed on the computer display in a second window, wherein the program comprises the following steps:	FIG. 1, 11 and 12; p. 5, ll. 12-16; p. 11, l. 23 to p. 12, l. 8.
detecting, when the first application is active, user selection of the second window to make the second application active;	FIG. 7, s. 58; p. 2, ll. 22-25; p. 5, ll. 6-9, 12-16; p. 7, ll. 25-29.
removing from the computer display the first GUI element associated with the first application and replacing the first GUI element with the corresponding, second GUI element associated with the second application; and	FIG. 7, s. 64; FIGs. 3a-5; p. 2, ll. 25-29; p. 5, ll. 13-22; p. 6, ll. 3-23.
in response to detecting the user selection of the second window, providing visual notification of the replacement of the first GUI element with the second GUI element by rendering	FIG. 7, s. 66; FIGs. 3a-5; p. 5, ll. 13-22; p. 6, ll. 24-27.

animation graphics to animate a transition between the display of the first and second GUI elements.	
<b>Claim 28</b>	<b>Specification</b>
A method for providing a transition between two or more graphical user interface (GUI) elements comprising the steps of:	FIG. 7; p. 11, l. 23 to p. 12, l. 8.
detecting a change between active applications running on a computer from a first application to a second application, the first application being displayed in a first window on the computer's operating system GUI and the second application being displayed in a second window on the computer's operating system GUI;	FIG. 7, s. 58; p. 2, ll. 22-25; p. 5, ll. 6-9, 12-16; p. 7, ll. 25-29.
removing a menu bar being displayed in a menu bar space on the computer's operating system GUI from a first menu bar associated with the first application and replacing the first menu bar with a second menu bar associated with the second application; and	FIG. 7, s. 64; FIGs. 3a-5; p. 2, ll. 25-29; p. 5, ll. 13-22; p. 6, ll. 3-23, p. 7, l. 24 to p. 10, l. 2.
in response to detecting the change between active applications, providing visual notification of the change between active applications by rendering animation graphics to animate a transition between the display of the first and second menu bars.	FIG. 7, s. 66; FIGs. 3a-5; p. 5, ll. 13-22; p. 6, ll. 24-27, p. 7, l. 24 to p. 10, l. 2.
<b>Claim 31</b>	<b>Specification</b>
A system for providing a transition between two or more graphical user interface (GUI) elements comprising the steps of:	FIG. 1; p. 4, l. 12 to p. 5, l. 22; p. 11, l. 23 to p. 12, l. 8.
means for detecting (6) a change between active applications running on a computer (2) from a first application to a second application, the first application being displayed in a first window on the computer's (2) operating system GUI and the second application being displayed in a second window on the computer's operating system GUI;	FIG. 7, s. 58; p. 2, ll. 22-25; p. 5, ll. 6-9, 12-16; p. 7, ll. 25-29.
means for removing (6) a menu bar being displayed in a menu bar space on the computer's operating system GUI from a first menu bar associated with the first application and replacing	FIG. 7, s. 64; FIGs. 3a-5; p. 2, ll. 25-29; p. 5, ll. 13-22; p. 6, ll. 3-23, p. 7, l. 24 to p. 10,

the first menu bar with a second menu bar associated with the second application; and	l. 2.
means responsive to detecting the change between active applications for providing (2) visual notification of the change between active applications by rendering animation graphics to animate a transition between the display of the first and second menu bars.	FIG. 7, s. 66; FIGs. 3a-5; p. 5, ll. 13-22; p. 6, ll. 24-27, p. 7, l. 24 to p. 10, l. 2.
<b>Claim 34</b>	<b>Specification</b>
A computer readable medium containing a program for providing a transition between two or more graphical user interface (GUI) elements that executes the following steps:	FIG. 7; p. 11, l. 23 to p. 12, l. 8.
detecting a change between active applications running on a computer from a first application to a second application, the first application being displayed in a first window on the computer's operating system GUI and the second application being displayed in a second window on the computer's operating system GUI;	FIG. 7, s. 58; p. 2, ll. 22-25; p. 5, ll. 6-9, 12-16; p. 7, ll. 25-29.
removing a menu bar being displayed in a menu bar space on the computer's operating system GUI from a first menu bar associated with the first application and replacing the first menu bar with a second menu bar associated with the second application; and	FIG. 7, s. 64; FIGs. 3a-5; p. 2, ll. 25-29; p. 5, ll. 13-22; p. 6, ll. 3-23, p. 7, l. 24 to p. 10, l. 2.
in response to detecting the change between active applications, providing visual notification of the change between active applications by rendering animation graphics to animate a transition between the display of the first and second menu bars.	FIG. 7, s. 66; FIGs. 3a-5; p. 5, ll. 13-22; p. 6, ll. 24-27, p. 7, l. 24 to p. 10, l. 2.
<b>Claim 37</b>	<b>Specification</b>
A computer-implemented method for providing a transition between a first graphical user interface (GUI) element and a corresponding second GUI element displayed on a display device, wherein: the first GUI element is associated with a first application running on a computer, the second GUI element is the second GUI element is associated with a second application	FIG. 7; p. 11, l. 23 to p. 12, l. 8.



running on the computer, associated with a second application running on the computer, the first application is displayed on the display device in a first area, said first area being a first window, the first application is displayed on the display device in a first area, said first area being a first window, the second application is displayed on the display device in a second area, said second area being a second window, and the first GUI element and the second GUI element are displayed within a third area of the display device, the method comprising:	
detecting, when the first application is active, a user-selection of the second window, said user-selection being received from a data entry device;	FIG. 7, s. 58; p. 2, ll. 22-25; p. 5, ll. 6-9, 12-16; p. 7, ll. 25-29.
making, based on said detection of the user-selection, the second application active;	FIG. 7, s. 58; p. 2, ll. 22-25; p. 5, ll. 6-9, 12-16; p. 7, ll. 25-29.
removing the first GUI element from the third area of the computer display; and	FIG. 7, s. 64; FIGs. 3a-5; p. 2, ll. 25-29; p. 5, ll. 13-22; p. 6, ll. 3-23, p. 7, l. 24 to p. 10, l. 2.
replacing the first GUI element with the corresponding, second GUI element at the third area of the computer display.	FIG. 7, s. 66; FIGs. 3a-5; p. 5, ll. 13-22; p. 6, ll. 24-27, p. 7, l. 24 to p. 10, l. 2.

## **VI. Grounds of Rejection to be Reviewed on Appeal**

(1) Whether claims 1, 4, 6-7, 9-14, 16-25, and 27-40 are unpatentable under 35

U.S.C. § 103(a) over the purported combination of *Hiura* and *Jobs*.

## VII. Argument

### A. Rejection of Claims 1, 4, 6-7, 9-14, 16-25, and 27-40 Under 35 U.S.C. § 103(a)

The Examiner bears the burden of presenting a *prima facie* case of unpatentability. (*In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992).) To support a rejection under Section 103(a), the Examiner must establish, *inter alia*, that all the elements recited in the Applicant's claims were known in the prior art. (*See KSR International Co. v. Teleflex Inc.*, 550 U.S., No. 04-1350 (U.S., April 30, 2007), 82 USPQ2d 1385, 1395 (2007); M.P.E.P. § 2143.02.) Furthermore, a proposed combination of prior art must provide a result that would be predictable to one of ordinary skill in the art. (*Id.*) The combination of *Hiura* and *Jobs* fails in these regards.

#### 1. **Rejection of Claims 1, 1, 4, 6, 7, 9-13 and 24**

##### (a) *Hiura and Jobs do not disclose or suggest the claimed subject matter of claim 1.*

Claim 1 recites, *inter alia*, "removing from the computer display the first GUI element ... and replacing the first GUI element with the corresponding, second GUI element," as recited in present claim 1. (Emphasis added.) The Office Action points to FIG. 11 for purportedly disclosing this feature. This figure shows an active window 211 of one application being partially turned-over (i.e., peeled-back) to reveal inactive window 212 of another application.

The Examiner asserts that window 211, window 212 correspond to the claimed "first window" and "second window," respectively. (Office Action, p. 3.) In addition, the Examiner alleges that windows 211 and 212 each include a menu bar corresponding to the claimed "first GUI element" and "second GUI element," respectively. (*Id.*) Appellant respectfully disagrees.

First, neither window 211 nor window 212 include any element that can be considered a “menu bar,” as asserted by the Examiner. (*See Hiura* FIGs. 10 and 11.) That is, FIGs. 10 and 11 merely illustrate windows 211 and 212 having a window frame enclosing some content. Indeed, nowhere does *Hiura* even mention the term “menu.” The Office Action does not assert that *Jobs* discloses or suggests such features. (*See* Office Action, p. 4, l. 19 to p. 5, l. 2.) Thus, the Office Action does not point to any element in the applied references that can be considered to correspond to the claimed “first GUI element” and “second GUI element.” Thus, the Office Action does not set forth a *prima facie* case for rejecting claim 1 under § 103(a). Accordingly, the rejection of claim 1 should be withdrawn for at least this reason.

Second, the only object that might be considered a menu bar in FIG. 11 is the rectangular ribbon that spans the top edge of the screen 15. However, comparing FIGs. 10 and 11, this object remains the same before-and-after active window 211 is peeled-back to reveal part of inactive window 212. Thus, FIGs. 10 and 11 illustrate a single object that is neither “removed” nor “replaced.” Therefore, this object cannot be considered to disclose or suggest “removing from the computer display the first GUI element associated with the first application and replacing the first GUI element with the corresponding, second GUI element associated with the second application” and “in response to detecting the user selection of the second window, providing visual notification of the replacement of the first GUI element with the second GUI element by rendering animation graphics to animate a transition between the display of the first and second GUI elements,” as recited in claim 1. (Emphasis added.)

Third, to whatever extent the Office Action may have intended to point to the frames of windows 211 and 212, these frames also cannot be considered to disclose or suggest the

claimed “first GUI object” and “second GUI object.” The frame of window 211 is not removed from screen 15. Only a portion of window 211 and its frame are peeled-back on to reveal a portion of window 212. Yet, as shown in FIGs. 10 and 11, the frames of window 211 and window 212 remain displayed on the screen. (*Hiura*, col. 10:63-67.) Accordingly, window 211 is not removed from screen 15. *Hiura*, therefore, does not disclose or suggest, “removing from the computer display the first GUI element,” as recited in claim 1. (Emphasis added.)

Furthermore, claim 1 recites “removing ... and replacing the first GUI element with the corresponding, second GUI element.” (Emphasis added.) *Hiura* says nothing with regard to any correspondence between windows 211 and 212. Apart from having their positions partially overlap, windows 211 and 212 are unrelated. That is, windows 211 & 212 could be positioned anywhere on screen 15. Thus, no element of window 211 can be considered to replace a corresponding element of window 212. Accordingly, *Hiura* does not disclose or suggest, “replacing the first graphical user interface (GUI) element with the corresponding second graphical user interface (GUI) element. Moreover, because the elements of windows 211 and 212 remain on screen 15, *Hiura* fails to disclose or suggest, “removing ... and replacing the first GUI element with the corresponding, second GUI element,” as recited in claim 1. (Emphasis added.)

*Jobs* does not overcome the above-described deficiencies of *Hiura*. The Office Action cites *Jobs* for its purported disclosure of, when a first application is active, detecting a selection of a window that makes a second application active. (Office Action, p. 4, ll. 16-20.) However, *Jobs* does not disclose or suggest, “removing from the computer display the first GUI element ... and replacing the first GUI element with the corresponding, second GUI

element,” and the Office Action does not assert that *Jobs* makes any such disclosure or suggestion.

For the reasons set forth above, taken individually or in combination, *Hiura* and *Jobs* do not disclose or suggest the above-identified features of claim 1. Thus, the Office Action has not established that all the features of claim 1 were known in the prior art at the time of the invention. Accordingly, the purported combination of *Hiura* and *Jobs* cannot support a rejection of claim 1 under § 103.

***(b) The Office’s purported combination would not predictably result in the subject matter of claim 1.***

The Office Action concedes that *Hiura* does not disclose or suggest, the claimed “detecting when the first application is active, user selection of the second window to make the second application active” and looks to *Jobs* to overcome this deficiency. (Office Action, p. 4, ll. 16-18.) Applicant respectfully submits, however, that the proposed combination of *Hiura* and *Jobs* is improper because the references cannot be predictably combined without changing their principle operations. (*In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959); M.P.E.P. § 2143.01(VI).)

*Jobs* teaches removing clutter from a screen by automatically minimizing windows associated with a current task when a user switches to a different task. (*Jobs*, col. 1, l. 34 to col. 2, l. 12, emphasis added.) In other words, *Jobs* removes inactive windows from a display. By doing so, the user is only presented with the window that relates to the current task of interest. (*Id.*)

At best, *Jobs* might suggest modifying *Hiura* to minimize an active window, to provide a view of the lower, inactive window. But doing so would be contrary to the purpose of *Hiura*, which is to allow a user to peek behind an active window to view an inactive

window, while still displaying both on screen 15 (i.e., unminimized). On the other hand, minimizing any inactive windows such that only an active window is displayed, as taught by *Jobs*, would destroy the purpose of *Hirua*'s invention since, if all inactive windows are minimized, there would be no inactive windows that could be viewed by peeling back active windows.

The proposed combination of *Hiura* and *Jobs* would, therefore, render each reference inoperable for their intended purpose. Accordingly, the proposed combination of *Hiura* and *Jobs* could not be predictably combined to result in the subject matter of claim 1. As such, for this additional reason, the purported combination of *Hiura* and *Jobs* cannot support a rejection of claim 1 under § 103(a).

**(c) *Claims 1, 4, 6, 7, 9-13 and 24 are allowable over the purported combination of Hiura and Jobs.***

For all the reasons above, the purported combination of *Hiura* and *Jobs* do not disclose or suggest the subject matter recited in Applicant's claim 1 and cannot be properly combined. Accordingly, *Hiura* and *Jobs* cannot support a *prima facie* case for rejecting claim 1 under Section 103(a). Consequently, claim 1 is allowable over the purported combination of *Hiura* and *Jobs*. Claims 4, 6, 7, 9-13 and 24 are also allowable at least due to their dependence from claim 1.

**2. Rejection of Claims 14 and 16-40**

Independent claims 14, 23, 28, 31, 34 and 37 although of different scope than claim 1, recite subject matter similar to that recited in claim 1. Accordingly, claims 14, 23, 28, 31, 34 and 37 are allowable over the purported combination of *Hiura* and *Jobs* for the same reasons set forth above with regard to claim 1. Claims 16-22, 24, 25, 27, 29, 30, 32, 33, 35, 36 and

28-40 are allowable due to their corresponding dependence from claims 14, 23, 28, 31, 34 and 37.

**VIII. Claims Appendix**

See attached Claims Appendix for a copy of the claims involved in the appeal.

**IX. Evidence Appendix**

None.

**X. Related Proceedings Appendix**

None.

Respectfully submitted,  
BUCHANAN INGERSOLL & ROONEY PC

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## **VIII. CLAIMS APPENDIX**

Claims involved in the appeal of U.S. Patent Application Serial No. 10/090,627:

1. (Previously presented) A method for providing a transition between a first graphical user interface (GUI) element associated with a first application running on a computer and a corresponding, second GUI element associated with a second application running on the computer, the first application being displayed on a computer display in a first window and the second application in a second window, the method comprising the steps of:

detecting, when the first application is active, user selection of the second window to make the second application active;

removing from the computer display the first GUI element associated with the first application and replacing the first GUI element with the corresponding, second GUI element associated with the second application; and

in response to detecting the user selection of the second window, providing visual notification of the replacement of the first GUI element with the second GUI element by rendering animation graphics to animate a transition between the display of the first and second GUI elements.

2-3. (Canceled).

4. (Previously presented) The method of claim 1, wherein the step of detecting the user selection comprises detecting the user clicking on the second window.

5. (Canceled).



6. (Previously presented) The method of claim 1, wherein the step of detecting further comprises detecting, when the first application is active and the second application is closed, the opening of the second application to make the second application active.
7. (Previously presented) The method of claim 1, wherein the step of detecting further comprises detecting, when the first application is active and the second application is open, the quitting of the first application to make the second application active.
8. (Canceled).
9. (Original) The method of claim 1, wherein the animation graphics comprise rotation animation graphics.
10. (Original) The method of claim 1, wherein the animation graphics comprise scrolling animation graphics.
11. (Original) The method of claim 1, wherein the animation graphics comprise three-dimensional animation graphics.
12. (Previously presented) The method of claim 11, wherein the three-dimensional animation graphics comprise animation graphics utilizing gray scales.
13. (Original) The method of claim 11, wherein the three-dimensional animation graphics utilize gray scales to achieve a virtual lighting effect.

14. (Previously presented) A system for providing a transition between a first graphical user interface (GUI) element associated with a first application running on a computer and a corresponding, second GUI element associated with a second application running on the computer, the first application being displayed on a computer display in a first window and the second application in a second window, the system comprising:

means for detecting, when the first application is active, user selection of the second window to make the second application active;

means for removing the first GUI element associated with the first application that is displayed on the computer display and replacing the first GUI element with the corresponding, second GUI element associated with the second application; and

means responsive to detecting the user selection of the second window for providing visual notification of the replacement of the first GUI element with the second GUI element by rendering animation graphics to animate a transition between the display of the first and second GUI elements.

15. (Canceled).

16. (Previously presented) The system of claim 14, wherein the means for detecting the user selection is configured to detect the user clicking on the second window.

17. (Previously presented) The system of claim 14, wherein the means for detecting the user selection is configured to detect, when the first application is active and the second application is closed, the opening of the second application to make the second application active or, when the first application is active and the second application is open, the quitting of the first application to make the second application active.

18. (Previously presented) The system of claim 14, wherein the means for providing visual notification is configured to render rotation animation graphics.
19. (Previously presented) The system of claim 14, wherein the means for providing visual notification is configured to render scrolling animation graphics.
20. (Previously presented) The system of claim 14, wherein the means for providing visual notification is configured to render three-dimensional animation graphics.
21. (Previously presented) The system of claim 20, wherein the means for providing visual notification is configured to render the three-dimensional animation graphics by utilizing gray scales.
22. (Previously presented) The system of claim 21, wherein the means for providing visual notification is configured to render the three dimensional animation graphics utilizing gray scales to achieve a virtual lighting effect.
23. (Previously presented) A computer-readable data storage device containing a program that, when executed by a processor, controls a computer to provide a transition between a first graphical user interface (GUI) element, which is associated with a first application running on the computer, and a corresponding, second GUI element, which is associated with a second application running on the computer, the first application being displayed on a computer display in a first window and the second application being displayed

on the computer display in a second window, wherein the program comprises the following steps:

detecting, when the first application is active, user selection of the second window to make the second application active;

removing from the computer display the first GUI element associated with the first application and replacing the first GUI element with the corresponding, second GUI element associated with the second application; and

in response to detecting the user selection of the second window, providing visual notification of the replacement of the first GUI element with the second GUI element by rendering animation graphics to animate a transition between the display of the first and second GUI elements.

24. (Previously presented) The method of claim 1, wherein the first GUI element comprises a first menu bar having a plurality of options pertaining to functions associated with the first application and the second GUI element comprises a second menu bar having a plurality of options pertaining to functions associated with the second application, and wherein the step of replacing comprises retrieving the options for the second menu bar and displaying the retrieved options at appropriate locations for the second menu bar.

25. (Previously presented) The system of claim 14, wherein the first GUI element comprises a first menu bar having a plurality of options pertaining to functions associated with the first application and the second GUI element comprises a second menu bar having a plurality of options pertaining to functions associated with the second application, and wherein the means for replacing is configured to retrieve the options for the second menu bar and display the retrieved options at appropriate locations for the second menu bar.

26. (Canceled).

27. (Previously presented) The computer-readable data storage device of claim 23, wherein the first GUI element comprises a first menu bar having a plurality of options pertaining to functions associated with the first application, and the second GUI element comprises a second menu bar having a plurality of options pertaining to functions associated with the second application, and

wherein the step of replacing comprises retrieving the options for the second menu bar and displaying the retrieved options at appropriate locations for the second menu bar.

28. (Previously presented) A method for providing a transition between two or more graphical user interface (GUI) elements comprising the steps of:

detecting a change between active applications running on a computer from a first application to a second application, the first application being displayed in a first window on the computer's operating system GUI and the second application being displayed in a second window on the computer's operating system GUI;

removing a menu bar being displayed in a menu bar space on the computer's operating system GUI from a first menu bar associated with the first application and replacing the first menu bar with a second menu bar associated with the second application; and

in response to detecting the change between active applications, providing visual notification of the change between active applications by rendering animation graphics to animate a transition between the display of the first and second menu bars.

29. (Previously presented) The method of claim 28, wherein the first menu bar includes a plurality of options pertaining to functions associated with the first application and the second menu bar includes a plurality of options pertaining to functions associated with the second application, and wherein the step of replacing comprises retrieving the options for the second menu bar and displaying the retrieved options at appropriate locations for the second menu bar in the menu bar space.

30. (Previously presented) The method of claim 28, wherein the menu bar space is separate from each of the first and second windows.

31. (Previously presented) A system for providing a transition between two or more graphical user interface (GUI) elements comprising the steps of:

means for detecting a change between active applications running on a computer from a first application to a second application, the first application being displayed in a first window on the computer's operating system GUI and the second application being displayed in a second window on the computer's operating system GUI;

means for removing a menu bar being displayed in a menu bar space on the computer's operating system GUI from a first menu bar associated with the first application and replacing the first menu bar with a second menu bar associated with the second application; and

means responsive to detecting the change between active applications for providing visual notification of the change between active applications by rendering animation graphics to animate a transition between the display of the first and second menu bars.

32. (Previously presented) The system of claim 31, wherein the first menu bar includes a plurality of options pertaining to functions associated with the first application and the second menu bar includes a plurality of options pertaining to functions associated with the second application, and wherein the means for replacing is configured to retrieve the options for the second menu bar and display the retrieved options at appropriate locations for the second menu bar in the menu bar space.

33. (Previously presented) The system of claim 31, wherein the menu bar space is separate from each of the first and second windows.

34. (Previously presented) A computer readable medium containing a program for providing a transition between two or more graphical user interface (GUI) elements that executes the following steps:

detecting a change between active applications running on a computer from a first application to a second application, the first application being displayed in a first window on the computer's operating system GUI and the second application being displayed in a second window on the computer's operating system GUI;

removing a menu bar being displayed in a menu bar space on the computer's operating system GUI from a first menu bar associated with the first application and replacing the first menu bar with a second menu bar associated with the second application; and

in response to detecting the change between active applications, providing visual notification of the change between active applications by rendering animation graphics to animate a transition between the display of the first and second menu bars.

35. (Previously presented) The computer readable medium of claim 34, wherein the first menu bar includes a plurality of options pertaining to functions associated with the first application and the second menu bar includes a plurality of options pertaining to functions associated with the second application, and wherein the step of replacing comprises retrieving the options for the second menu bar and displaying the retrieved options at appropriate locations for the second menu bar in the menu bar space.

36. (Previously presented) The computer readable medium of claim 34, wherein the menu bar space is separate from each of the first and second windows.

37. (Previously presented) A computer-implemented method for providing a transition between a first graphical user interface (GUI) element and a corresponding second GUI element displayed on a display device, wherein:

the first GUI element is associated with a first application running on a computer,

the second GUI element is associated with a second application running on the computer,

the first application is displayed on the display device in a first area, said first area being a first window,

the second application is displayed on the display device in a second area, said second area being a second window, and

the first GUI element and the second GUI element are displayed within a third area of the display device,

the method comprising:

detecting, when the first application is active, a user-selection of the second window, said user-selection being received from a data entry device;



making, based on said detection of the user-selection, the second application active;

removing the first GUI element from the third area of the computer display;

and

replacing the first GUI element with the corresponding, second GUI element at the third area of the computer display.

38. (Previously presented) The method of claim 37, wherein said making the second application active includes bringing the second window to the foreground of the display device.

39. (Previously presented) The method of claim 37, wherein replacing the first GUI element includes providing visual notification of the replacement of the first GUI element with the second GUI element by rendering on the display device animation graphics of the third area transitioning between the display of the first GUI element and the second GUI element.

40. (Previously presented) The method of claim 37, wherein:

the first GUI element comprises a first menu bar having a plurality of options pertaining to functions associated with the first application, and

the second GUI element comprises a second menu bar having a plurality of options pertaining to functions associated with the second application.

## **IX. EVIDENCE APPENDIX**

None.

## **X. RELATED PROCEEDINGS APPENDIX**

None.